



Entered on Docket
June 25, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
Marvin Ruth (NV 10979)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

Case No. BK-S-06-10725-LBR

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**Order Sustaining Fifth Omnibus Objection
Of USACM Liquidating Trust To Proofs
Of Claim Based In Part Upon Investment
In The Gramercy Court Loan**

Hearing Date: June 15, 2010
Hearing Time: 9:30 a.m.

The Court having considered the “Fifth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Part Upon Investment In The Gramercy Court Loan” [DE 8057] (the “Objection”); the Court having heard the Objection on June 15, 2010; appropriate notice of the Objection having been given; the Court having reviewed the response of Mohave Canyon, Inc. [DE 8077], and good cause now appearing:

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8057] is sustained;

3 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
4 claims are based upon an investment in the Gramercy Court Loan for the reasons set forth
5 in the objection.

6 3. The claims listed on **Exhibit A** are not affected by this order to the extent
7 they are based upon an investment in another loan.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By/s/ Robert M. Charles, Jr. (# 6593)

12 Robert M. Charles, Jr.

 John Hinderaker (*pro hac vice*)

13 3993 Howard Hughes Parkway, Ste. 600

14 Las Vegas, Nevada 89169-5996

 Telephone: (702) 949-8320

 Facsimile: (702) 949-8321

15 *Attorneys for USACM Liquidating Trust*

16
17 (APPROVED)/DISAPPROVED

18 S/ Janet L. Chubb

19 Janet L. Chubb

20 Jones Vargas

21 Attorneys for Mohave Canyon, Inc.

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document.]
- ☒ This is a chapter 11 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.
- ☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

U.S. Trustee:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: Janet L. Chubb	
<input checked="" type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ Robert M. Charles, Jr.
Attorneys for USACM Liquidating Trust

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Exhibit A

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Gramercy Court Condos Loan
10725-02326	L Earle Romak Ira	First Savings Bank Custodian L Earle Romak Ira P o Box 6185 InclineVillage, NV 89450	2,000,000.00	250,000.00
10725-02174	Lawrence H & Lorrain K Tengan Revocable Trust	Lawrence H & Lorraine K Tengan 504 Edgefield Ridge Pl Henderson, NV 89012-4543	506,524.90	50,000.00
10725-00495	Levy, Robert	2115BensleySt Henderson,NV89044	200,000.00	50,000.00
10725-02057	Lindsey H KeslerJrIra	First Savings Bank Custodian 4847 Damon Cir Salt Lake City, UT 84117	517,569.18	100,000.00
10725-02273	Louise Teeter Ira Rollover	4201 Via Marina Ste 300 Marina Del Rey, CA 90292- 5237	898,523.18	54,000.00
10725-02178	Marshal Brecht Trust Dtd 2/5/86	Marshall J & Janet L Brecht Trustees 640 Colonial Cir Fullerton, CA 92835	3,418,022.00	50,000.00
10725-02037	Miller Trust Dated 8/13/87	Gary I & Barbara Miller Ttees 2832 Tilden Ave LosAngeles, CA 90064	1,111,366.00	50,000.00
10725-01691	Mojave Canyon Inc	Janet L Chubb, Esq Jones Vargas Po Box 281 Reno, NV 89504-0281	675,000.00	150,000.00
10725-00854	Motto, George J	Joe Laxague, Esq Cane Clark LLP 3272 E Warm Springs Las Vegas, NV 89120	550,000.00	100,000.00
10725-01998	MurrayTrust	C/O Aimee E Kearns Trustee 5886 N Bonita Vista St LasVegas, NV 89149-3911	729,435.88	50,000.00